MESSAGE

OF

HIS EXCELLENCY,

JOHN F. HARTRANFT,

TO THE

GENERAL ASSEMBLY

OF

PENNSYLVANIA,

JANUARY 7, 1874.

GEOLOGICAL SURVEY
OF
PENNSYLVANIA,
907 Walnut St., Philad'a.

HARRISBURG:
BENJAMIN SINGERLY, STATE PRINTER
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MESSAGE.

Gentlemen of the Senate and House of Representatives:

Since your last meeting a grievous public calamity, in the guise of a financial panic, has visited the country, having in its train a series of disasters. The industrial pursuits and monetary interests of the State have become greatly depressed, the wealth of many of her leading capitalists and most public spirited citizens has been wholly swept away, the business of her corporations paralyzed, the machinery of her manufactories arrested, her mineral, iron, oil and other productions greatly depreciated in value, and poverty and want brought to the firesides of the humble homes of thousands of her honest and industrious citizens, who toil for their daily bread. To remedy these evils, under which all our industries are languishing, so far as relief can be administered by legislation, it is barely necessary to suggest, should be the first duty of your honorable bodies—a duty which I feel assured will be undertaken with care and deliberation, invoking to its aid a fair share of humanity and the highest practical wisdom. In any measures looking to this object it will be my pleasure heartily to co-operate.

FINANCES.

It is gratifying to observe that while many of the most substantial securities in the market were more or less depressed during the recent panic, the finances of the State were unshaken, exhibiting unmistakable evidence of the stability of the State credit. The following statement, showing their satisfactory condition, will challenge attention:

Debt Redeemed

During fiscal year ending November 30, 1873:

Six per cent. loan	$1,308,800 00
Five per cent. loan	153,112 46
Chambersburg certificates	42,760 24
Total	1,504,672 70

Receipts

During fiscal year ending November 30, 1873:

Balance in Treasury, November 30, 1872	1,482,455 61
Receipts	7,076,723 20
Total	8,559,178 81

Disbursements

During fiscal year ending November 30, 1873:

Ordinary expenses	$3,666,325 67	
Loans redeemed	1,504,672 70	
Interest paid on loans	1,563,029 20	
		$6,734,027 57
Balance in Treasury, November 30, 1873		1,825,151 24

PUBLIC DEBT.

Funded Debt.

Six per cent. loans	$20,540,580 00	
Five per cent. loans	4,972,354 01	
Four and a half per cent. loans	87,000 00	
		$25,599,934 01

Unfunded Debt.

Relief notes in circulation	96,249 00	
Interest certificates outstanding	13,049 02	
Interest certificates unclaimed	4,448 38	
Domestic creditors' certificates	44 67	
Chambersburg certificates outstanding	84,829 64	
Do ....do.... unclaimed	267 22	
		198,887 93
Total public debt, November 30, 1873		25,798,821 94

Bonds in Sinking Fund.

Amount brought forward		$25,798,821 94
Bonds of the Pennsylvania Railroad Company.....	$5,700,000 00	
Bonds of the Allegheny Valley Railroad Company	3,500,000 00	
	9,200,000 00	
Cash in Treasury, November 30, 1873...	1,825,151 24	
		11,025,151 24
Indebtedness unprovided for		14,773,670 70

In 1874 the receipts from all sources will be $1,500,000 less than the receipts of 1873, while the expenditures will not be diminished. This loss of revenue is largely due to the repeal of taxes bearing heavily upon the industrial interests of the Commonwealth, and partly to the prostration of business. The receipts in 1875 may be about the same as those of 1874, but the expenditures will be greater, owing to the additional outlay necessary for schools, Legislature and Judiciary, under the new Constitution, which will then be in full force. Notwithstanding this enormous decrease in the receipts, and increase in expenditures, it is hoped and believed, that by the most rigid economy in every branch of the government and moderate appropriations, the revenues in the future will be sufficient to meet all the demands on the Treasury, and leave a balance to reduce the indebtedness of the State, as required by the Constitution. I am in accord with those who believe as the debt decreases there should be a corresponding relief afforded to those interests that bear the burden of taxation; but at this juncture I would regard any further reduction of the revenues as unwise. In our list of taxes, however, may be found some that are not strictly "uniform upon the same class of subjects," and very unfair in their operation, and I think, therefore, a revision of our tax laws is now desirable if not necessary.

SINKING FUND.

In compliance with the constitutional amendment of 1857, the Legislature in 1858 created a sinking fund for the payment of the interest on the State debt, and for an annual reduction of the principal in a sum not less than $250,000 per annum. In addition to the securities designated by the amendment, the revenues arising from certain taxes were assigned to this fund. From that time, each succeeding year, the interest on the debt has been punctually paid, and the portion of principal redeemed instead of amounting to $250,000 has grown to the immense sum of one to two millions per year. The reason is a simple one. The revenues set apart for the sinking fund, by the natural growth of these special taxes, have become annually much larger, while the amount required to be paid on account of interest, by reason of the rapid decrease of the public debt, has every year become smaller, and in this way the annual credits to the sinking fund have swollen to proportions never contemplated by the original friends of the measure. As an illustration, it is simply necessary to say, that the revenues flowing to this fund were last year over half the entire income of the State, or $3,500,000, while only $1,500,000 were needed to pay the interest on the debt. In the mean time, the annual revenues allotted for general purposes have been less than the amount of the annual appropriations of the Legislature, and the Legislature never having made provision for the difference by a reconstruction of the revenues, it became necessary for the Treasurer to pay the deficiencies of appropriations out of the funds properly due to the sinking fund or suspend payment. This condition of affairs places the Sinking Fund Commissioners in an anomalous position, from which it is manifestly the duty of the Legislature to relieve them.

THE CENTENNIAL.

The progress of the work of preparation for the Centennial is realizing fully the expectations of our people. The distin-

guished gentlemen charged with the details of this vast undertaking are striving zealously, with great intelligence and industry, to perfect all the arrangements in a manner commensurate with the important and conspicuous position our Republic occupies among the nations of the earth. A becoming regard for the dignity and honor of the country, we can hope, will now induce the General Government, and all the States, to extend to the Commission such material aid as will secure this enterprise from every possibility of failure. The city of Philadelphia, whose generosity, in different ways, in behalf of the Centennial, has elicited commendation from all quarters, ceded to the Commission an eligible site in the midst of her beautiful park, whereon the proposed buildings for the exhibition, the plans of which have been adopted, are to be erected. This site was formally transferred and dedicated to its special uses on the 4th of July last, in the presence of a large concourse of citizens. Upon that occasion proclamation of the President was made, wherein the celebration and exhibition were commended to the people of the United States, and a cordial invitation given to all nations who may be pleased take part therein.

With this act the project became a national one, and cooperation was invited and expected from the whole nation; and it is a pleasure to observe that the different States and Territories are earnestly moving with a view to such contributions as will place the celebration not only upon a sound financial basis, but make it a successful exhibition of their various resources and industries. To stamp the Centennial, however, with the character of a national enterprise, it must receive assistance direct and substantial from the National Government. Congress must set the seal of its approbation upon the work of the Commission, and manifest not only an interest in this great undertaking, but a determination that in its proportions and grandeur the American Exposition shall eclipse all those which have preceded it in Europe, as

the development of our resources, the expansion of our grand railway system, and the diversified employment of the arts and sciences in all the avenues of our industry surpass those of the old world.

Pennsylvania must not neglect this opportunity for the display of her rich, varied and inexhaustable products, nor relax her efforts to rescue the exhibition from every mischance to which indifference or distrust may expose it. It is true her contributions have been large, but she must not forget that the nation has signally honored her people by designating her metropolis as the place for the proposed celebration, and she must show by renewed exertions that she appreciates the distinction.

THE NEW CONSTITUTION.

Pursuant to an act of the General Assembly, approved June 2, A. D. 1871, the people, by a large majority, voted in favor of calling a Convention to amend the Constitution of this Commonwealth, and the General Assembly, by an act approved April 11, 1872, provided for the calling of the same, and in compliance with its provisions the delegates elected thereto assembled at the State Capital, at Harrisburg, on the second Tuesday of November, 1872, and adjourned *sine die* on Saturday, December 27, 1873. The Constitution adopted by the Convention was submitted to the qualified electors of the Commonwealth, on the third Tuesday of December, 1873, and by a certificate of the said Convention, on file in the office of the Secretary of this Commonwealth, it appears 253,560 votes were given for, and 109,198 votes against the New Constitution.

In the schedule of the New Constitution it is provided that it shall take effect on the first day of January, 1874. In the act calling the Convention, it is provided that the returns of the votes cast for and against the New Constitution, "shall be opened, counted and published as the returns for Governor are now by law counted and published," and when so ascer-

tained and certified, "the Governor shall declare by proclamation the result of the election." The Constitution of 1838, as well as the New Constitution, provides "that the returns of every election for Governor shall be sealed up and transmitted to the seat of government, directed to the President of the Senate, who shall open and publish them in presence of the members of both Houses of the General Assembly."

The Constitutional Convention, the last day of its session, passed the following preamble and resolution:

"WHEREAS, It appears by the returns of election in the several counties of the State, held on Tuesday, the 16th day of December, A. D. 1873, that the New Constitution has been adopted by a majority of one hundred and forty-four thousand three hundred and sixty-two; therefore,

"*Resolved*, That His Excellency, the Governor, be informed by the President of the Convention, of the result, and that he be respectfully requested to issue his proclamation thereof without delay."

I respectfully call your attention thereto, that there may be no unnecessary delay in the counting of the vote cast for and against the New Constitution; that I may in conformity with the provisions of the act calling the Convention, and in compliance with the resolution of the Convention, promptly issue the proper proclamation.

The New Constitution having been approved by a very decided majority of the people, it is expected that all citizens will yield cheerful obedience to its behests, and unite to strictly and faithfully enforce its provisions.

As each day's experience reveals the methods of administration, the conviction grows stronger in my mind that good government depends not so much upon written laws as upon the disposition of the people to comply with the demands of the laws, and the determination of those delegated to execute them, to see that their mandates are enforced. Reform, it will be conceded, cannot be obtained by mere constitutional

enactment, nor by surrounding offices and trusts with additional restraints.

The world's history from the earliest ages has shown that no code of laws, however comprehensive or restrictive, will evade man's ingenuity if bent upon overstepping their bounds, and wise and necessary as the provisions of the new Constitution may be they will never secure the ends designed unless sustained by a strong, active, healthful and intelligent sentiment that will interest itself in public affairs. It will not suffice to enact that integrity and fitness are essential qualifications for office, unless the people see to it that none without these qualifications are selected. It is the indifference and inattention of electors to their primary political duties, connected with nominations and elections, that despoil the law of its sanctity, and afford security to those who wilfully disobey its requirements. Men do not fulfill the obligations of citizenship by merely enjoying the protection our institutions afford. To perform his whole duty to the State every citizen should actively engage in political concerns when the recurring elections invoke his attention and interference. In our system of government every man entitled to vote is invested with a grave public trust, and if, through indifference or neglect, he fails to discharge the sacred duties it imposes, he is almost as culpable as the other who deliberately violates the law. With this new departure in our organic law, let there also be an accompanying resolution on the part of all good citizens that they will attend diligently and conscientiously to the selection of men for office whose dignity of character and intellect will be an adequate guaranty that the new Constitution will be safe in their keeping.

Upon the present Legislature devolves a duty involving great care and labor, and which if discharged, as I believe it will be, with a proper regard for the public interest, will redound to its credit and honor. To you is committed the

important trust of moulding existing regulations into conformity with the change about to be inaugurated in the fundamental law of the State. Bring to the performance of this high and responsible duty all the wisdom you possess, divest yourselves of all selfish considerations, devote time and thought to the work, and with the New Constitution as your constant guide, build up a good and symmetrical system of laws, and let us so far as it lies in our ability start the State forward upon her future career, clothed with ample powers to extend her enterprise, and fulfill her great destiny.

To another consideration I invite public attention. All special enactments are not necessarily bad laws, while it may be equally accepted as true that all general enactments are not good laws. I enjoin upon the people of the whole State increased vigilance in their watch over all legislation. Attempts will doubtless be made to obtain special objects through the instrumentality of General laws, which, while they may benefit one interest or locality, might prove very oppressive to others. Let every citizen who has the interest of the State at heart lend his assistance to the Legislature and Executive, to detect and frustrate such schemes.

SCHOOLS.

The interesting report of the Superintendent of Common Schools will command your thoughtful attention, because of the important subject of which it treats and the many valuable suggestions it contains. Pennsylvania, it will be observed, is making decided progress in the cause of education, increasing the number of schools, enlarging each year the sphere of instruction, extending the time within which schooling may be obtained, and supplying more of the conveniences necessary for the comfort and health of scholars and teachers. For years, in this State, doubts of the practicability of a system of public schools beset and crippled the cause of education, but judicious and careful management has happily dissipated all this mistrust, and our people are now united in the con-

viction of the utility and wisdom of free and universal instruction. Those concerned in the administration of public affairs are expected to devote to the vital problems of education the time and consideration they deserve, and I have no doubt that the present Legislature will look into and provide remedies for many of the deficiencies that still exist in our present school system. Prominent among the defects is the lack of proper training and other qualifications of the teachers of the schools. "Of the 15,003 teachers receiving certificates to teach during the year, only 374 were found to have a *thorough* knowledge of reading, writing, arithmetic, geography and grammar, and that practical preparation for their profession which insures success," is the startling declaration made by the Superintendent of Common Schools. There must certainly be a radical change in this regard, if we would have our children attain even the rudiments of an ordinary education. The necessity of establishing Normal schools wherein students are specially qualified and trained for teaching is conspicuously shown in these statistics, and it is a gratification to know that twelve of these useful institutions have been erected or are in process of erection in various parts of the State, and when all are furnished with an able corps of instructors, we can confidently hope the graduates therefrom will largely contribute to supply this pressing need of good and competent teachers. To afford some inducement, however, to teachers to prepare themselves for the duties of their profession, and some assurance of the public appreciation of the difficult, responsible and delicate work they perform, I am satisfied they should receive increased compensation.

Dissatisfaction exists also and complaint is made about the frequent changes of school books, entailing expense upon parents, and subjecting pupils to novel and perplexing methods of acquiring lessons that mystify more than they instruct.

There seems to be an urgent demand for more training of a technical kind, that will fit children for mechanical pursuits and the practical duties of life. I suggest, therefore, that school boards be authorized to make provision for giving instruction in industrial and mechanical drawing, both in day and evening schools; also that schools be established wherein trades may be taught, or arrangements made for such instruction in connection with schools already established, so that skilled mechanics can be graduated, and the principle inculcated that there is nothing ungraceful or undignified in honest and hard labor, and that the handiwork of the skillful artisan will confer in the future as noble a title as any to be achieved in professional callings.

More thorough examination of the subject strengthens me in the conviction that the State must adopt some mode to compel the attendance of those children whose parents are unwilling or unable to allow their offspring to avail themselves of the benefits our school system affords. The solution of this important question presents grave difficulties, but I expect to see them all surmounted. Some plan must be devised to snatch these children from the career of idleness and crime to which ignorance will consign them. By far the greater portion of the inmates of our penitentiaries never attended schools, or had the advantages of education. Is modern civilization unequal to the task of rescuing the children of the indigent and the criminal from such a fate?

The views expressed in the report of the Superintendent of Common Schools upon this very point, embrace, in my opinion, a feasible plan to secure the attendance at school of every child in the State, and I earnestly solicit your consideration of that part of his report, with the additional suggestion, that when these poor or vagrant children are gathered into schools or homes, that the industrial plan be engrafted upon the conduct of these institutions, so that those

taught may also acquire useful trades. Observation shows that a man thoroughly acquainted with a trade is secure against many of the temptations that open the doors of the prison to great numbers whose hands are unskilled and who are unused to any steady or exacting labor. In the able and comprehensive report of the Inspectors of the Eastern Penitentiary for 1872, among other details of value is found this significant statement: that of the 240 convicts admitted to the prison during the year 1871, 90 per cent. had never been apprenticed, and 56 per cent. had never attended school. These figures are eloquently and painfully suggestive of the relations indolence and ignorance bear to crime.

SOLDIERS' ORPHANS.

No act of the State ever secured her more honor than that which pledged her people to the care and education of the orphans of the soldiers who fell in her service, and no part of her policy has reflected so much credit upon her people as the fidelity with which they have been redeeming that promise. The generosity which former Legislatures have displayed in providing for the maintenance and instruction of these orphans will now, I am persuaded, bespeak for them like consideration and favor. I feel constrained also to renew my proposition that some measure should be taken to furnish these children with trades.

BOARD OF PUBLIC CHARITIES.

During the past year the gentlemen composing the Board of Public Charities have fulfilled the important trust committed to their care with their wonted fidelity and zeal. The results of their labors clearly demonstrate that true philanthrophy, well guarded and directed, can be of great practical service to the State.

The numbers of the criminal, pauper, insane and other defective classes that are in some degree dependent on public

support, must always be large, and the problem of caring for these multitudes in a way to decrease their number, and so add to the productive force of the community, is one which addresses itself with great force to the attention of the Legislature.

PRISONS.

In the light of the reports of the Board of Public Charities and Prison Inspectors, and of my own investigation, I am firmly of the belief that the system of commutation whereby the term of a prisoner is shortened by reason of his good conduct, has been productive of reformatory results. By examination, also, I am possessed of this other conviction, that for the purpose of awakening the self-respect of a prisoner, and to provide him with some incitement to good behavior and industrious habits, every inmate of a prison should be instructed in a trade. When competent to do the work belonging to his particular trade the convict should then receive while in prison as compensation for his labor, a portion of his earnings, to be given to his family if necessitous, or if he has no family, to be reserved for his own uses when released. Accustomed in this way to toil for those dependent upon his support, the prisoner, when liberated, will be apt to carry into life the skill and habits of industry thus acquired, and make of himself a useful citizen. Society is as much interested in the reformation as in the punishment of the criminal, and experience shows that teaching him a trade contributes to that end.

INSANE HOSPITALS.

The hospitals for the insane, under the control of the State, are steadily accomplishing the beneficent work for which they are intended. The hospital at Harrisburg has been full during the whole year, and at the time of the last report the inmates were considerably in excess of the number that can be

properly cared for in this institution. The building will have to undergo a series of repairs and improvements to make it a safe and comfortable home for those placed there for treatment.

The hospital at Danville has been in operation about a year, and at the latest report had 160 patients, and at the rate at which patients have been admitted, will have more than its complement before another year has elapsed. It is desirable that the additional wings to this hospital should be pushed forward to completion at the earliest possible day to provide for those greatly in need of accommodation.

To insure the delicate and peculiar treatment required for the insane, too much care cannot be exercised to prevent these hospitals from becoming crowded.

The commissioners appointed under the act approved Aug. 18, 1873, to select a site and build a hospital for the insane of the ten north-western counties of the State, fixed upon a property at Warren as the most eligible for the purpose, and their selection has been approved. This property contains 330 acres of land, 300 acres of which are arable land and cost $33,000. The numbers of the insane in the north-western section of the State, who imperatively require the accommodations to be furnished at this hospital, admonish us of the necessity for the immediate construction of the buildings.

THE CRIMINAL INSANE.

The suggestions of the committee of the Medical Society of Pennsylvania, appointed to prepare a memorial to the Legislature in reference to the proper care and treatment of insane criminals, which will be submitted to you, merit your respectful consideration. The hardship and impolicy of associating this class of the insane with those sent to hospitals for medical and moral treatment must occur to every rational mind. The restraints necessary to secure the few criminal insane in every hospital bear with like rigor upon all the oc-

cupants, to many of whom the unusual confinement is extremely hurtful, while it is obvious that if the ordinary discipline is observed this criminal class are liable to escape and renew their depredations upon society. Nor do the intimate relations that must exist between the innocent and the criminal insane when confined together improve the morals of the former, while some sensitive minds among these poor unfortunates feel degraded by enforced contact with those who have been expelled from society for their crimes. It seems to be the duty of the State therefore to provide for the separate confinement of the criminal insane.

STATE BANKS, SAVINGS FUNDS, TRUST COMPANIES.

I still adhere to the principles laid down in the Mifflinburg and Wood's Run vetoes of last session. Recent events have demonstrated the necessity of fixing proper limitations to the powers conferred on these moneyed corporations, and have afforded a practical illustration of the wisdom of rigidly confining them to objects that are recognized by the people as distinctively belonging to such institutions. When a bank of discount is permitted to become also a savings fund, a trust company, an insurance company, to buy and sell real estate, and to have the rights and privileges of a building association, it is difficult to determine what are its legitimate functions, or what security a community has for the safety of its deposits. I have always entertained serious doubts as to the propriety of banks of discount paying interest on deposits, and am now convinced that this pernicious practice should be prohibited. Money will always flow to banks paying interest on deposits, and the large surplus thus aggregated seduced by attractive offers is sent to the great money centres where it gives more impulse to speculation, while the sections from which it is drawn suffer in all their enterprises from the higher rates they are compelled to pay for the money remaining at home. This system of purchasing deposits was confess-

edly one of the principal causes of the financial crisis of 1857, and of this year. When banks have large deposits on call, and have their loans on time, in the event of any great stringency in the money market, disaster is almost inevitable.

Within a few years many State banks have been chartered, with the captivating names of savings banks, designed to attract deposits. These banks and savings funds are entirely distinct in organization and purpose, and should never be associated in their management. The one is a bank of discount, intended to supply the wants of business, the other is simply a repository for people's money, limited to small amounts to each individual, the aggregate of the amounts thus received to be invested in mortgages on unincumbered property worth double the amount of the mortgage, and in secure public stocks, in safe proportions. A bank is conducted with the avowed object of benefit to its stockholders; a savings fund is presumed to be managed entirely in the interest of depositors among the laboring classes, or those of limited means and business qualifications, and the essential requisites of which are such prudence and safety in the disposition of the funds as will best enhance their value for the benefit of these classes of depositors. Men in charge of savings funds should have no personal ends to serve; should be above temptation, and receive their highest reward in the good accomplished by inducing a saving habit which, once fixed, leads to prosperity.

The objects of trust companies should be equally specific and well defined. Some of these companies are invested with very extensive powers, are the depositories of immense sums of money and charged with the keeping and magagement of vast and important trusts. It should be the duty of the State to see that their affairs are administered with fidelity, not only to the individuals who confide in their management, but to the public who are interested in the security and sta-

bility of these companies as barriers to wild speculation and its consequent financial panics.

Allow me to suggest, therefore, that all State banks, savings funds and trust companies be made subject to the examination of a committee appointed by proper authority; that these institutions be required to publish quarterly statements, under oath, of the amount of their assets and liabilities and the names of their officers; that by a general law their stockholders be made personally liable for double the amount of stock held by them; and that they be compelled to have constantly in their vaults a cash reserve of ten per cent. of their net liabilities. These examinations, reports and restrictions cannot be hurtful to institutions of established credit and high character, while they will disclose the unsoundness or mismanagement of those that ought not to exist.

INSURANCE.

The Department, established by an act approved April 4, 1873, for the supervision of the insurance interests of the State, went into operation on the first Monday of May last. By the terms of this act the Department is self-sustaining, and in no way a burden upon the public treasury.

While Pennsylvania can boast of some strong and substantial insurance companies it must be acknowledged that the want of system in the organization and management of these corporations, and the reckless manner in which the Legislature has granted special charters, together with the entire absence of restraining supervision, have introduced defects that cannot be too soon remedied. The capital with which fire insurance companies have been permitted to begin, and continue business, is in most cases entirely inadequate, and immediate steps should be taken to place insurance in this State upon a firm and enduring foundation. To this end, I recommend the enactment of a law providing for the organi-

zation and regulation of insurance companies, both fire and life, which shall require a certain amount of capital as a prerequisite to commence business, and designate the kind of investments to be made. It may also be advisable to compel companies already organized to have, within a reasonable time, the entire amount of their nominal capital actually paid in and invested in good securities. Fire insurance, excepting that conducted within a limited sphere upon the purely mutual plan, requires capital, and this capital should be actual and not in the illusory form of stock notes. Taking into consideration the enormous sums paid annually by the citizens of this State in the shape of premiums to insurance companies they have a right to demand the largest measure of protection against recklessness and fraud.

FISH COMMISSION.

The operations of the Fish Commissioners have excited a lively interest among our people, on account of the novelty of the enterprise and the benefits to arise from the successful prosecution of their labors.

Fish culture, it is now conceded, has passed beyond the realms of experiment, and its success in the future is only to be measured by the wants of our people and the capacity of the streams, rivers and lakes of the country.

Pennsylvania is singularly blessed in the superior advantages she possesses for the cultivation of fish. Abounding in waters admirably adapted to their needs, in the insect and other food they supply, there is no reasonable obstacle to stocking our rivers and streams with innumerable and delicious fish of various and even rare kinds.

The work assigned to the commission has been diligently pursued and promises substantial results. Availing themselves of the use of Mr. Seth Green's patent, the Commissioners succeeded in hatching, at Newport, Perry county, where the water is peculiarly fitted for the purpose, about

2,700,000 shad, which were turned into the Juniata river at that point. Two thousand six hundred black bass were also distributed in the Susquehanna, Lehigh and Juniata rivers during the months of July and August last, and through the kindness of Prof. Spencer F. Baird, United States Fish Commissioner, 27,000 California salmon have been planted in the Susquehanna and its tributaries. The bass are not migratory fish and are very prolific. Two or three hundred were placed in the Susquehanna, near Harrisburg, in 1870, and the rapidity with which they multiply is manifest in the great numbers of this beautiful and choice fish that now are found in the river in that vicinity.

The law of 1873 authorizing the Fish Commission, directed that four fish-ways should be constructed at different dams on the Susquehanna and Juniata rivers, so as to enable shad, on their spring incursions from the sea, to make the ascent of these streams. The question whether shad will ascend an artificial way is still, however, a mooted one, and encountering this doubt, the commission, in the exercise of what will be deemed a sound discretion, concluded to erect but one fish-way, and that at the Columbia dam. This way is 120 feet long by 60 feet wide, is very gradual in the incline, and made as nearly conformable as possible to natural ways over which shad do undoubtedly pass, and will afford a practical test of this experiment. If in the spring it is found shad do pass up this fish-way, the others required by law will be constructed without delay.

The hatching-house erected by the Commissioners, near Marietta, and supplied with water from an inexhaustible spring, is said by those familiar with the subject to be complete in its arrangements and furnished with all the necessary appliances for the propagation of fish. The capacity of the house is equal to the proper care of 700,000 young fish, and is susceptible of enlargement, if required. The Fish Commissioners of New Jersey recently had a conference with

those of Pennsylvania, with a view to obtain from their respective States such concurrent legislation as will best promote the shad and other fisheries in the Delaware river, and to so harmonize the laws of the two States as to prevent a conflict of authority. Any suggestions resulting from this conference, and submitted for your action, will, I trust, be respectfully considered.

BUREAU OF STATISTICS.

The report of the Commissioner of Labor and Statistics for the current year, embracing many instructive details, will be read with interest. The organization of this Bureau within a very limited period has, of course, precluded it from making any extensive investigations, but enough has been done to demonstrate the necessity for such a department and the service it can render the people by enlarging continuously the knowledge of our resources, trade, internal improvements, and the various processes of education and enlightenment in our midst.

This bureau was created with the special object of investigating the relations of labor and capital, to discover the cause of the frequent contests between employers and employed; to determine what share labor has in the progress and prosperity of the State; to examine with a view to its proper adjustment the question of wages, and to compare and collect facts that will afford a better understanding of the duty of the State to the laboring classes having in view their protection, amelioration and happiness.

No more worthy object invites research or should command public support, when we consider how numerous are these classes in this Commonwealth, how various are the fields for their labor, and how much they have contributed to develope and build up our present grand industries.

In this connection, the propriety of a State census, to be taken in 1875, presents itself with great force. It is of the

utmost importance that in 1876, the Centennial year, we should have the most reliable and recent information possible of the extent of our population and products, and of the condition of our labor, agricultural and industrial interests, that we may acquaint the world with all our capabilities and needs, and thus prepare the way for the expansion of our trade and commerce.

NATIONAL GUARD.

The wisdom of the new militia law is already apparent in the increased efficiency of the several commands, and the enthusiastic spirit aroused among the troops. Rigid inspections have been conducted by the Adjutant General, and the companies not meeting the requirements of the law have been promptly disbanded. Still more encouraging and satisfactory results may be expected from the operation of the new system during the ensuing year, and I invoke the National Guard to renewed efforts to increase its efficiency and perfect its discipline, that it may deserve the confidence and support the public are now willing to extend, and be worthy of the great State whose safety and honor in some future crisis may depend upon the character and valor of her citizen soldiery.

STATE ARSENAL.

The State having purchased the properties adjoining the Capitol grounds, with a view to their extension, I recommend the removal of the arsenal, situate thereon, and that an appropriation be made to purchase a site and erect an arsenal in some other locality. The service requires a building of this kind, and the cost of the repair of the present arsenal would probably be equal to the expense of erecting a new one, while the beauty and symmetry of the public park will be greatly enhanced by the removal of all buildings from that portion of the grounds.

POWDER MAGAZINE.

Your attention is particularly directed to that part of the report of the Adjutant General which refers to the sale of the old and purchase of a new site for a powder magazine in the city of Philadelphia, with a suggestion that the new site be sold, on account of its unfitness for the special uses designed, and the additional reason that to build a new magazine would subject the State to an expense of at least $25,000. The parties storing powder, under any proper restrictions imposed by the city authorities of Philadelphia, will doubtless gladly avail themselves of the privilege to erect store-houses or magazines of their own, and the State will thus be relieved of a charge which may hereafter be the cause of the destruction of property and a consequent claim for damages.

LAND DEPARTMENT.

The report of the Surveyor General gives a detailed and very satisfactory exhibit of the business and condition of his Department. Attention is called to the valuable suggestions made in reference to granting warrants to survey lands and the enlargement of the right of pre-emption, both being shown by experience to be necessary to the better protection of those holding titles from the Commonwealth, and as the subject is of importance to a large class of our people, I earnestly commend the same to your careful consideration.

GEOLOGICAL SURVEY.

In my inaugural address mention was made of the rich deposits of minerals found in every part of the Commonwealth, and a suggestion offered that it should be our earnest aim to determine the extent of these deposits and make them available and productive. To provide the highest possible knowledge of the character and location of our valuable minerals we should first institute a thorough geological survey under the supervision of gentlemen whose scientific

attainments will be a sufficient warrant that the work will be properly performed. To attain this desirable end, therefore, I earnestly recommend that a geological survey of the State be made under the superintendence of a commission to be composed of ten scientific or practical gentlemen representing different interests and localities, who understand the necessities for this survey and under whose direction it shall be conducted, the commission to serve gratuitously and to have the selection of a geologist who shall receive such compensation as may be fixed by law.

This survey should be made to embrace a chemical analysis of the different soils and sub-soils of the State, and a simple and intelligible classification and description of the same, from which our farming community may gather some easily comprehended principles to guide them in the cultivation of their land, so as to prevent its impoverishment and increase its productiveness.

COLONIAL RECORDS.

The late Governor William F. Johnston, in his annual message in January, 1851, advised the selection and arrangement for publication of the large body of original papers in the State Department connected with our Colonial and Revolutionary history.

In accordance with his advice an act was passed, and during subsequent administrations supplementary acts were passed which resulted eventually in the publication of the invaluable repository of Pennsylvania history, known as the "Colonial Records" and "Pennsylvania Archives." The minutes of the Board of War and Navy Board could not at the date of that publication be found, and have only been recovered since the commencement of my official term. They cover an important period of our Revolutionary history, and are accompanied by vouchers and correspondence; including muster rolls of soldiers and the names of officers, marines and vessels of the Pennsylvania Colonial navy.

As these minutes and accompanying documents are valuable in an historical point of view, and the Colonial Records and Archives incomplete without them, I respectfully call the attention of the Assembly to the propriety of publishing and preserving them.

AMERICAN STEAMSHIP COMPANY.

The American steamship company, an enterprise in which our commercial and industrial interests are so largely concerned, may now be considered an assured success. The beautiful and capacious steamers of the company have been making the passage of the ocean in the same time as those of the old and established lines, and the number of passengers and the freight carried are steadily on the increase. Philadelphia is now in direct communication with Europe, through the medium of a line of splendid steamers of her own, and from this time a new impulse will be given to her commerce that will be felt in every channel of trade throughout the State.

PARDONS.

A year's experience in the exercise of the pardoning power has confirmed me in the opinion, expressed in my inaugural, that it is unwise and unjust to impose this responsibility upon a single individual. The importunities of distressed relatives, the personal appeals of men of character and reputation, the inconsiderate and indiscriminate manner in which petitions are signed by responsible parties, the absence of protests in almost every case, and the disproportion between the offence and the penalties frequently imposed, are all calculated to embarrass and prevent a right conclusion. When it is considered, also, that the Executive, in any application, is forbidden to enlist his sympathies, while his discretion is presumed to be proof against ingenuity and falsehood, the perplexity of his situation can readily be conceived.

It has been my constant endeavor to balance considerately the interests of society and the claims of humanity, to sift carefully the evidence presented, and to arrive at a determination only after all the means of information had been exhausted. To compass this latter end, it has been the practice to procure the views of the judge and attorneys of the court who tried the offenders, and almost invariably have their opinions influenced my decision. Appended herewith will be found a report of the pardons granted during the year.

FOREST TREES.

I specially invite your attention to an evil of considerable magnitude, which every year grows more aggravated, and in certain regions, at times, is the occasion of serious apprehension and loss. I refer to the wholesale destruction of our forests, the stripping our mountains and hills of their trees, resulting in an enormous diminution of water for mechanical and fertilizing purposes, and in great changes in the normal conditions of temperature and moisture, affecting the general health and at seasons bringing about devastating floods. These consequences, as the effects of this indiscriminate waste, are demonstrable, and a wise legislation will forecaste the future and establish such regulations as will rescue our descendants from the ills a perseverance in this practice will certainly entail upon them.

THE EXEMPTION LAW.

The act of 1849 exempting a certain amount of the property of a debtor from levy and sale, on execution or distress for rent, was intended for the wise and humane purpose of protecting his family from sudden and absolute want. This benevolent design is, however, often defeated, and the law practically nullified, by the harrassed debtor waving the benefits of the act to meet the exactions of his credi-

tor. Do not sound public policy and humanity demand a supplement to this law that will forbid a debtor having a family waving the benefit of the exemption, so that a household may not be shorn, in an instant, of all the necessaries of life by reason of the weakness, recklessness or misfortune of its head, or to satisfy the greed of a grasping creditor?

STATE PRINTING.

By the destructive fire which consumed the printing establishment of the State Printer not only did he lose largely, but a loss was also suffered by the State. At the time of the fire there was considerable work, finished and unfinished, on hand, belonging to the State and to the Constitutional Convention, which latter, by a resolution adopted on the last day of its sessions, authorized the Auditor General and State Treasurer to settle and adjust its accounts with the State Printer, Mr. Singerly.

The State Treasurer and Auditor General, I am informed, desire legislation to enable them to carry out the resolution and intention of the Convention, and I would suggest the legislation you may adopt may also confer like authority upon them to equitably settle and adjust the accounts for printing, binding, and other work, finished and unfinished, done by Mr. Singerly, for the State as well as for the Convention.

THE VIENNA COMMISSION.

The Commissioners of the State of Pennsylvania, to the World's Industrial Exposition at Vienna, have made a report of their observations. A number of suggestions included in this report will be of value to those entrusted with the preliminary arrangements and superintendence of the exhibition to be held in Philadelphia in 1876, while the broad, liberal and

practical views expressed by the Commissioners will help our people to a more intelligent comprehension of the purposes and advantages of the Great Centennial.

IN MEMORIAM.

On the 8th of February last, by one of those sudden interpositions which are constantly reminding us of the uncertainty of life and the mysteries of God's providence, Ex-Governor John W. Geary, in the prime of manhood and in the midst of a career crowded with honors and usefulness, was, without a moment's warning, summoned to his last account. Testimonials of respect and sorrow befitting the character and services of the deceased, as statesman and soldier, were appropriately and solemnly offered by both branches of the Legislature, the officers of the State and city, and many prominent citizens, who attended the lamented dead to his grave.

The State has been deprived of the services of another useful and eminent citizen in the decease of the distinguished scholar and jurist, Wm. M. Meredith. Recognized for his extensive literary attainments and profound knowledge of the law, well known for his earnest patriotism and fidelity to the interests of the Commonwealth, welcome everywhere for his generous qualities of mind and heart, his death leaves a void in private and public circles that none but corresponding graces and acquirements can ever successfully fill.

A severe loss has also been sustained in the death of Dr. Wilmer Worthington, the respected Secretary of the Board of Public Charities. The impress of his strong mind can be observed, during the last quarter of a century, in various movements to promote the public welfare, and in the several institutions of learning and charity in his own immediate neighborhood, while his conduct as a legislator entitled him to the

esteem and secured him the confidence of the people of the whole State.

CONCLUSION.

The United States have just cause for congratulation in the peaceful solution of our difficulties with Spain without recourse to arms. War is always to be deprecated, and it is to be hoped that in the future, as in the present, the true test of wisdom and good administration will be the honorable adjustment of all differences between nations, without flinging the sword into the scale.

Our people are awaiting with painful uncertainty the conclusions to be reached by Congress to meet the financial and business requirements of the country. The questions involved are of grave import, demanding broad and comprehensive views of public policy, and the action of Congress will have much to do with widening or dispelling the feeling of distrust that now holds so many of our vast industries in its thrall and paralyzes trade and commerce. Despite the temporary prostration of business and enterprise we have, however, eminent occasion for thankfulness to the Supreme Being, whose gracious care and beneficence are manifest in every stage of our progress as a nation. War and its attendant evils have been averted, we have the full measure of the earth's bounty in abundant crops, increased familiarity with our resources is revealing new fields for development, the ties of reconciliation and union are being more closely cemented, the spirit of reform is chastening our politics and invading every avenue of government, respect abroad and confidence at home are giving strength and stability to our institutions, while the future seems fraught with opportunities of usefulness and glory for our Republic. To have a share in shaping the destinies of such a nation is surely no inconsiderable honor, and we who are charged with the control of one of the

members of this grand confederacy should apply ourselves to our several employments with a becoming sense of the dignity and magnitude of the trust, and a firm reliance on Him who directs all our ends.

JOHN F. HARTRANFT.

EXECUTIVE CHAMBER,
Harrisburg, Pa., January 7, 1874.

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PARDON REPORT.

Report of pardons granted and death warrants issued during the year ending November 30, 1873, respectfully submitted for the information of the Legislature:

1. DAVID RETTERSBACHER. Luzerne county. *Assault and Battery.* January 27, 1873. Sentence, three months in the county jail. Pardoned February 20.

Recommended by Hon. W. W. Ketcham, E. L. Merriman, Esq., district attorney, Hon. B. F. Foutz, associate judge, J. E. Bulkely, M. D., physician to the prison, C. Wagner, M. D., and F. Wagner, M. D.

Reason:—Prisoner afflicted with tubercular consumption, and confinement endangering his life.

2. DANIEL C. ENGEL AND FRANKLIN GRANT. Berks county. *Conspiracy and Malicious Mischief.* January 21, 1873. Sentence, four months in the county jail. Pardoned February 21.

Recommended by Henry S. Eckert, George B. Eckert, J. G. Hawley, Wm. S. Ritter, J. M. Beck, Henry Bushong, J. T. Valentine, Jacob S. Levingood, D. M'Knight, and many others.

Reasons:—They were convicted upon the testimony of one Buchat, who testified that he was concerned in the alledged conspiracy, who was certified to be of questionable character, against whom an indictment for perjury was pending; testimony that the character of defendants had always been good, and their own affidavit denying any knowledge of, or complicity in, the offence charged.

3. ADA HENDERSON. Dauphin county. *Larceny.* December 3, 1872. Sentence, three months in the Dauphin county prison. Pardoned February 25.

Recommended by the Hon. John J. Pearson, president judge, and J. M. Wiestling, Esq., district attorney.

Reason:—The prisoner had but six days to serve, and the sister of the prisoner lying dead, leaving new born twin children, and three small children beside, without any one to look after them.

4. THOMAS DUNN. Allegheny county. *Obscene Libel.* November 9, 1872. Sentence, eight months in the Allegheny work-house. Pardoned March 27, 1873.

Recommended by Hon. Miles S. Humphreys, Hon. J. W. Ballentine, E. A. Montooth, A. L. Pearson, W. D. Moore, Esq., M. Swartzwelder, Esq., and over one hundred other citizens of Allegheny county, including a number of the members of the bar and county officers.

Reasons:—He is an illiterate man, and the offence committed while under the influence of liquor, the obscene piece of printing being furnished him while in that state; by occupation a teamster, with a wife and two children depending solely upon him for support.

5. MACK DIXON. Westmoreland county. *Aggravated Assault and Battery.* February 11, 1873. Sentence, six months in the county jail. Pardoned April 12.

Recommended by Hon. M. P. M'Clanahan, associate judge; by the county commissioners, Hugh Ryan and others; by Alexander Kilgore, Esq., high sheriff; John

Gross, Esq., clerk, and all the county officers; James E. Clarke, A. A. Stewart, H. D. Foster, and almost the entire bar of said county; J. R. M'Affee, Esq., J. C. Snodgrass, and a large majority of the respectable and substantial citizens of Greensburg.

Reasons:—He is only seventeen years of age, and had, before the offence, an excellent character; the great affliction of a very respectable father and worthy sisters, and with the punishment already suffered, a proper subject for Executive clemency.

6. JOHN GRAHAM. Allegheny county. *Receiving Stolen Goods.* December 14, 1872. Sentence, one year in the Allegheny county work-house. Pardoned April 24, 1873.

Recommended by Hons. James L. Graham and M. S. Humphreys, of the Senate of Pennsylvania; Hon. H. H. M'Cormick, Hon. Thos. M. Marshall, Wm. Phillips; Thos M. Bayne, Esq., district attorney; W. C. Moreland, attorney for the prosecutors.

Reasons:—The ends of public justice have been subserved by the punishment inflicted, and his pardon an act of charity on account of the serious distress of his family, helpless by reason of his imprisonment.

7. WILLIAM A. MAGUIRE. Philadelphia. *Murder of the Second Degree.* December 1, 1866. Sentence, eight years and six months in the Eastern Penitentiary. Pardoned April 25.

Recommended by nine of the jurors by whom he was tried, the rest having died or left the city; Hon. William B. Mann, district attorney; S. B. W. Mitchell, James Given, Damon Y. Kilgore, Gen. Louis Wagner, Gen. C. H. T. Collis, and many other citizens of the city of Philadelphia; Edward Townsend, warden of the Eastern Penitentiary.

Reasons:—The conduct of the said Maguire has been uniformly good during his long imprisonment, and that he has given undoubted evidence of sincere repentance and reformation, and become a sincere christian; that at the time of the commission of the crime, he was ignorant and illiterate and but eighteen years of age, and then home on furlough from the army in which he had served from the beginning of the war with great credit, and under the influence of liquor when he committed the the crime; and finally, that he has, during his imprisonment, educated himself, thereby fitted himself, and is likely to become a useful man and member of society.

8. HARRY REDPATH. Allegheny county. *Fornication and Bastardy.* April 5, 1873. Sentenced *pro forma.* Pardoned May 19.

Recommended by John H. Stewart, H. B. Swope, Esq., Jared M. Brush, Thos. H. Bigelow, Hon. H. H. M'Cormick, Thomas Steele, and many others, including A. W. Smith, warden of the Allegheny county jail.

Reasons:—The said Redpath is a mere youth of only sixteen years of age, of good reputation; that there were good reasons to believe him innocent of the crime charged; and that the prosecutrix is of such character as to be unworthy of belief, and was probably the seductress of the boy. Also, uniform good conduct while in prison.

9. JOHN WELLS. Philadelphia. *Larceny.* Sentence, January 4, 1871, three years in the county prison. Pardoned May 23.

Recommended by Hon. Joseph R. Chandler, prison inspector, D. W. Smith, physician to the prison, and William B. Perkins, superintendent of the prison.

Reasons:—Uniform good conduct while in prison, and that he is in a dying condition, from consumption.

10. JEFFERSON SPANNIER. Philadelphia. *Manslaughter.* Sentence, January 13, 1866, ten years and six months in the Eastern Penitentiary. Pardoned May 13, 1873.

Recommended by Francis A. Drexel, Géo. W. Childs, Esq., Hon. Adolph E. Borie, George H. Stuart, John Welsh, J. Hood Wright, and others.

Reasons:—The prisoner was not twenty years of age when the crime was committed, and had been a good, honest and industrious boy, and the casualty occurred in a sudden quarrel with an older and stronger person than himself; his unexceptionable conduct during an imprisonment of over seven years, inducing the belief that he may yet become a good and useful citizen.

11. John Houck. Huntingdon county. *Escape from Jail.* Sentence, April 12, 1872, twelve months in the Western Penitentiary, to be computed from date of expiration of original sentence. Pardoned May 31, 1873.

Recommended by Hon. John Dean, judge of the district, D. M'Murtrie, Esq., R. Bruce Petriken, Esq., Hon. David Clarkson and Hon. A. J. Beaver, associate judges

Reasons:—He had served out the full term of imprisonment for the offence of which he was first convicted, and it appears by the certificates of E. S. Wright, Esq., warden of the penitentiary, and of T. H. Nevin, Esq., president of the board of inspectors thereof, that the prisoner had conformed, during the entire term of his imprisonment, to all the rules and regulations of the prison; that under the particular circumstances of the case it was a proper one for Executive interference.

12. David Burritt. Luzerne county. *Assault and Battery.* Sentence, December 1, 1871, two years and ten months in the Luzerne county prison. Pardoned June 4, 1873.

Recommended by Hon. Garrick M. Harding, president judge of the district; E. L. Merriman, Esq., district attorney; P. P. May, warden; A. C. Lanning, C. Dorrence and A. J. Williams, prison commissioners; Hon. W. W. Ketcham, Henry M. Hoyt, Esq., and many other prominent citizens of Luzerne county.

Reasons:—The offence was the act of a *father* frenzied with liquor; general good conduct during imprisonment, and evidence of determined reformation; his family, upon whom the injury was inflicted, praying Executive interference in his behalf, which will restore a father to his family.

13. George Oplinger. Luzerne county. *Voluntary Manslaughter.* Sentence, September 23, 1871, five years and nine months in the Eastern Penitentiary. Pardoned June 4, 1873.

Recommended by Hon. G. M. Harding, president judge; E. L. Merriman, Esq., district attorney; Hon. Hendrick B. Wright, W. W. Ketcham, H. M. Hoyt, A. M. Bailey, Peter C. Stine, M. D., Hon. L. D. Shoemaker, E. L. Chase, and many hundreds of reputable citizens of Luzerne county.

Reasons:—Certificate of the president judge that he was not aware of the dangerous character of the deceased, and the many mitigating circumstances surrounding the case at the time of the fatal occurrence, when he sentenced Oplinger, otherwise his sentence would have been much less severe; certificate of the district attorney that the deceased had frequently threatened the life of Oplinger, and that from all the circumstances the prisoner had reason to believe that his own life was in danger when he struck the fatal blow; certificate of the widow and near friends of the deceased, that on his dying bed he exonerated the said Oplinger from all blame in the matter; previous good character of Oplinger.

14. Joseph Tuckerman. Delaware county. *Allowing a Prisoner to Escape.* May 0, 1873. Sentence, thirty days in the Delaware county jail. Pardoned June 4, 1873.

Recommended by Hon. H. Jones Brooke, Hon. Thomas V. Cooper, O. Flagg Bullard, Esq., Hon. J. M. Broomall, J. Robley Dunglison, Isaac Johnston, Samuel Dutton, Wm. Ward, Esq., John Atkinson, Edward A. Price, Joseph Webster, C. S. Smith, James M'Dade, George Broomall, Dr. Joseph Rowland, and many other citizens of Delaware county.

Reasons :—Certificate of the district attorney, David M. Johnson, Esq., that the case against Tuckerman was a very trivial one ; certificate of members of the bar and others, that the evidence upon the trial of the said Tuckerman showed conclusively that there was no criminal intent, but a mere mistake in his duty as constable, that he is a young man of good habits and universally respected, and that he has a wife and four small children dependent upon his daily labor for their support.

15. Augustus R. Stetler. Montgomery county. *Larceny.* Sentence, March 4, 1871, eight years in the Montgomery county jail. Pardoned June 12, 1873.

Recommended by Geo. W. Bush, district attorney, Samuel G. Cowan, David H. Lukens, Silas Cleaver, J. H. Ramsay, and others of the jury convicting him ; by Mrs. Elizabeth E. Hutter and others ; the warden and prison authorities.

Reasons :—The Hon. F. Carroll Brewster, Attorney General, after a full and careful examination of the circumstances, reported in favor of the application for a pardon in this case, which by reason of the expiration of the term of office of my predecessor, the late Governor Geary, was not acted upon. The Hon. Henry P. Ross, presiding judge of the Seventh judicial district, in which said Stetler was tried, has certified that the pardon of the said Stetler will be justified by every principle of wise and enlightened humanity. His imprisonment has reduced his wife and three infant children to beggary.

16. Hugh Phillips. Philadelphia. *Assault and Battery with Intent to Kill.* Sentence, December 6, 1869, five years in the Philadelphia county prison. Pardoned June 13, 1873.

Recommended by Hon. Joseph R. Chandler, Joseph H. Bullock, George Bullock and others.

Reason :—The board of inspectors of the Philadelphia County prison, by a unanimous resolution, recommended him as a fit subject for Executive clemency on account of his disease, consumption, and the fact of his having served out the greater portion of his term, and the fact that he cannot, in human probability, outlive his unexpired term, as appears by the letter of Dr. Smith, prison physician.

17. Martin V. B. Snyder. Lancaster county. *Rape.* Sentence, May 27, 1867, twelve years in the Eastern Penitentiary. Pardoned June 18, 1873.

Recommended by Hon. A. L. Hayes, W. H. Atlee, former district attorney, Hon. J. B. Livingston, Hon. O. J. Dickey, Hon. Fred. S. Pyfer, mayor, John A. Hiestand, Esq., Amos Groff, Esq., sheriff, Wm. H. Slaymaker, Esq., prothonotary, S. H. Reynolds, Esq., H. B. Swarr, Esq., George J. High, Esq., A. C. Reinoehl, and many others, including the county commissioners.

Reasons :—Certificate of Dr. John L. Atlee, (who as president of the board of the home for friendless children, made the complaint on which said Snyder was indicted,) that he had examined the said Snyder and found him insane and a fit subject for treatment for insanity ; William P. Snyder, brother of the convict, who brings with him honorable recommendations from the State of Ohio, by an obligation on file, undertakes that the friends of the said convict will take charge of him and remove him to his early home in the State of Ohio, and provide such restraints as his condition requires.

18. Washington Isett. Blair county. *Rape.* Sentence, February 8, 1868, seven years and nine months in the Western Penitentiary. Pardoned June 20, 1873.

Reasons :—Certificate of the late Hon. George Taylor, president judge of the Twenty-fourth judicial district, that he learned from one of the jurors who convicted the said Isett that their verdict was arrived at by casting lots, and therefore he should be pardoned ; certificate of the Hon. John Dean, (then district attorney,) now president

judge of the Twenty-fourth judicial district, that he was informed by two of the jurors who tried the said Isett, that after being out many hours and having failed to agree, they cast lots and thus determined their verdict, and that it was a case demanding Executive interference.

19. Joseph Ferrier. Montgomery county. *Rape.* Sentence, May 20, 1869, seven years in the Montgomery county prison. Pardoned June 20, 1873.

Recommended by Hon. E. L. Acker, John W. Yerkes, prothonotary; J. B. Larzelere, sheriff; H. B. Nase, S. B. Heffelstine, J. M. Hart, J. B. Moorehead, George Bullock, Dr. Wm. Corson, John E. Breitenbach, Hons. Geo. N. Corson, James Boyd, George W. Rogers, Esq., Joseph L. Allabaugh, Esq., Joseph Fornance, Esq., J. R. Hunsicker, Esq., George W. Bush, Esq., late district attorney, Hon. Charles Hunsicker, and H. B. Dickenson, Esq., of counsel for the prosecution; Dr. Charles Houpt, physician to the prison; John Getty, Isaac Fry and Robert Patton, keepers of the prison; J. B. Davis, Charles H. Garber and Jesse Gable, prison inspectors; Rev. J. Grier Ralston, and many others.

Reasons:—The circumstances preceding and following his offence, render it exceedingly doubtful whether it amounted to the crime of rape. Insanity of his father, and paralysis afflicting his mother, make it a dictate of humanity that they should have the assistance of their son; the ends of justice having been reached by the punishment already suffered.

20. Joseph Musgrove. Philadelphia. *Larceny.* Sentence, February 6, 1873, seven months in the Philadelphia county prison. Pardoned June 27, 1873.

Recommended by Hon. Joseph R. Chandler, William B. Hanna, Esq.; by Josiah Bassett, and others of the jury convicting him; Francis Hendrick and others.

Reasons:—He is the son of a widowed mother, with no other means of support except the labor of herself and family. The mother has become partially insane by reason of her son's incarceration. The Hon. James R. Ludlow, before whom he was tried, withdrawing all objection to the pardon, because the prisoner has already been punished, and the crime not a very serious one.

21. Charles W. Wright. Blair county. *Murder of the Second Degree.* Sentence, January 26, 1872, five years and six months in the Western Penitentiary. Pardoned June 27, 1873.

Recommended by Hon. George W. Patton and Hon. Joseph Irwin, associate judges of Blair county; by Thomas F. Donelly, Samuel Black, A. K. Bassler, and six others of the jury convicting him; by Hon. John A. Lemon, B. L. Hewit, Esq., G. C. Statler, H. B. Huff, Esq., and many other citizens of Blair county; by His Excellency Conrad Baker, Governor of the State of Indiana, Samuel S. Blair, Esq. and Hon. Milton Speer; by J. C. Richards, M. D., W. H. Boyle, M. D., John Montgomery, M. D., Wm. S. Stenger, Esq., Thad. M. Mahon, T. B. Kennedy. Jacob Heyser, F. S. Stumbaugh, Hastings Gehr, James L. Scott, Hon. John M'D. Sharpe, Hon. John Stewart, Wm. M'Lellan, Esq., and many other prominent citizens of Franklin county.

Reasons:—The excellent character borne by the prisoner before the unfortunate occurrence took place, his exemplary conduct since his confinement, and sincere sorrow for his offence; because he was the support, to a great extent, of a widowed mother of great respectability and devoted piety; Hon. James A. Logan's certificate that there were mitigating circumstances about the case, and that he did not interpose any objections to the exercise of Executive clemency in this case; the rapidly failing health of his mother, and that his further confinement may be the cause of her death.

22. John Jones. Allegheny county. *Larceny.* Sentence, September 6, 1872, one year and eight months in the Western Penitentiary. Pardoned July 1, 1873.

Recommended by Wm. Phillips, Esq., Thomas S. Eigelow, Esq., Hons. Miles S. Humphreys, James L. Graham, George H. Anderson, S. J. Wainwright; H. H. M'Cormick, Hyde K. Sample, J. W. Ballantine, J. D. Ramsey, Senators and members of the House of Representatives; Thomas M. Bayne, Esq., district attorney, and others.

Reasons:—Former good character; a wife and two small children depending upon the charities of friends during his imprisonment; the punishment already inflicted sufficient.

23. Richard Honeywell. Luzerne county. *Intent to Commit a Rape.* Sentence, Sept. 11, 1872, three years in the Eastern Penitentiary. Pardoned July 1, 1873.

Recommended by Wm. P. Sharp, and eight others of his jury, Hon. G. M. Harding; petition signed by over one hundred women of Dallas township; petition signed by Asa W. Shaver, and over two hundred citizens of Dallas township; Hon. W. W. Ketcham, L. D. Shoemaker, Hendrick B. Wright, Henry M. Hoyt, Edward H. Chase, and others; Ira M. Kirkendall, mayor of Wilkesbarre.

Reasons:—Grave doubt about the propriety of his conviction; jurors state that they are now satisfied Honeywell was not guilty of the charge. Affidavit of witnesses filed showing an *alibi*.

24. Benjamin Ottey. Philadelphia. *Assault and Battery with Intent to Commit a Rape.* Sentence, Sept. 16, 1871, five years in the Eastern Penitentiary. Pardoned July 2, 1873.

Recommended by Christian Kneass, Esq., Richard Pelt, and over two hundred and thirty citizens of Manayunk; by Charles Thompson Jones, Charles Ellis, and many other citizens of Philadelphia; Robert C. Hall, and seven others of the jury; John Scofield, father of the girl, and her uncles.

Reasons:—Ottey known in the neighborhood as a quiet, orderly and well-behaved young man, had previous good character and standing in society, positive belief of the petitioners of Ottey's innocence of the charge whereof he was convicted.

25. James Harris. Mercer county. *Assault and Battery.* Sentence, January 11, 1873, one year in the Mercer county jail. Pardoned July 2, 1873.

Recommended by S. H. Miller, Esq., S. B. Stephenson, R. C. M'Clure, Esq., sheriff; Samuel Orwig, John P. Hoagland, George Tanner, Wm. Jack; W. A. M'Cormick, district attorney; Samuel North, Esq., and others; county commissioner, J. G. White, Esq.; A. A. Blakeslee, physician to the jail.

Reasons:—Prisoner afflicted with chronic asthma, and further confinement endangering his life, trivial character of the offence.

26. Dennis Eagan. Schuylkill county. *Murder of the Second Degree.* Sentence, Sept. 18, 1866, twelve years in the Eastern Penitentiary. Pardoned July 2, 1873.

Recommended by George Bullock, James Moir, A. S. Leedom, Richard M. Saylor, J. B. Morehead, James Pugh and many other citizens of Conshohocken; Rev. James A. Reilly and many citizens of Philadelphia; James Ryan, Esq., and many other citizens of Pottsville; Robert White and many other citizens of New York; Wm. B. Emery and other citizens of Brooklyn.

Reasons:—The circumstances under which Eagan committed the offence; he was greatly irritated at the time by the conduct of the deceased who had seduced his wife and openly boasted of the unlawful connection; that the ends of justice have been reached in the punishment already endured; very good conduct of Eagan during his incarceration.

27. William J. Robinson. Allegheny county. *Aggravated Assault and Battery.* Sentence, October 28, 1871, two years in the Western Penitentiary. Pardoned July 10, 1873.

Reasons:—Pardon recommended by Joseph F. Minick, and nine others, of the jurors who tried him; affidavit of David Jones that he was the guilty party instead of Robinson; affidavit of John B. Hagan and Daniel Gallagher to the same effect; A. L. Pearson, Esq., district attorney, certifies that he now believes Robinson did not strike the blow; good conduct while in prison.

28. Levi Buskirk. Lehigh county. *Arson.* Sentence, January 3, 1870, four years and five months in the Lehigh county jail. Pardoned July 11, 1873.

Recommended by the board of prison commissioners of Lehigh county; Thomas B. Metzgar, Esq.; Wm. H. Snoden, Esq., district attorney; Thomas Jacoby, warden, and others.

Reasons:—He is certified to be a thoroughly reformed man; the offence committed while he was laboring under a species of *dementia;* suffering to a great degree from epileptic fits; his youth and his uniform good behavior while in prison.

29. William C. Cravenor. Allegheny county. *Burglary.* Sentence, January 29, 1872, two years in the Allegheny work-house. Pardoned July 29, 1873.

Recommended by Hon. James Blackmore, mayor of Pittsburg; A. M. Brown, James A. Ross; by the prosecutor, Wm. Berry; by the Hon. James P. Sterrett, president judge of the Fifth judicial district.

Reasons:—The articles taken were of little value; Cravenor was under the influence of liquor at the time; peaceful and obedient conduct in prison, and evidences of reform.

30. Gideon Beishlein. Columbia county. *Larceny.* Sentence, February 8, 1872, one year and nine months in the Eastern Penitentiary. Pardoned July 30, 1873.

Recommended by John G. Freeze, Esq., Robert F. Clark, M. E. Jackson, Hon. C. B. Brockway, and many other citizens; James Bryan, Esq., district attorney, and by Hon. Wm. Elwell, President judge of the Twenty-sixth judicial district, as a proper subject of Executive clemency, by reason of insanity at the time of the commission of the offence.

31. James R. Hutton. Washington county. *Forgery.* Sentence, December 10, 1872, four years and nine months in the Western Penitentiary. Pardoned August 12, 1873.

Recommended by Hon. George V. Lawrence, Hon. Thos. J. Bigham, Hon. R. W. Mackey, Russell Errett, Esq., James P. White, Esq., B. B. Coursin, M. D. Wood, D. A. M'Cready, Andrew Craighead, John M'Donough, Alexander Calhoun and many others.

Reasons:—He has made restitution and has been sufficiently punished; he has a wife and five small children, who are in destitute circumstances and need his support; previous good character.

32. S. H. Milliken. Allegheny county. *Disorderly Conduct.* Committed July 24, 1873, by James H. Berry, a justice of the peace, to the Allegheny work-house for forty-five days. Pardoned August 14, 1873.

Reasons:—Petition of James H. Berry, committing magistrate, setting forth that it was Milliken's first offence, that he had served with great credit in the Union army to suppress the late rebellion, and his business going to ruin without his personal supervision, and that no good either to Milliken or the public will accrue by keeping him any longer in confinement.

33. Patrick Dolan. Northumberland county. *Assault and Battery with intent to Kill.* Sentence, January 8, 1873, five years and three months in the Eastern Penitentiary. Pardoned August 19, 1873.

Recommended by J. C. Bergstresser, H. D. Rothermel, Esq., J. M. John, Hon. Lin Bartholomew, Gen. J. G. Frick, J. A. M. Passmore, Esq., James J. Lake, Esq., Wm. Levy, Thomas Egan, Joseph J. Yocum, Anthony Ferguson, A. C. Mullin, Dr. George Yeomans, Peter E. Buck, John K. Kennedy, James O. Haley, James Ellis, Thomas H. Rickert, Gen. J. G. Sigfried, and many others.

Reasons:—They deem the punishment already suffered, under the circumstances, amply sufficient to meet the ends of justice.

34. Alexander M. Dunn. Franklin county. *Rape.* Sentence, August 16, 1873, six months in the county jail. Pardoned August 29, 1873.

Recommended by J. H. M'Cauley, Esq.; John A. Hyssong, prothonotary; Dr. A. H. Senseny, Dr. J. L. Susserrott, Hon. John Stewart, J. C. Richards, John R. Orr, Jeremiah Cook, David Oaks, George W. Welsh, Hon. C. M. Duncan, J. L. Scott, G. R. Messersmith, Hon. F. M. Kimmel, and many other citizens of Franklin county.

Reasons:—The crime was committed by the command of one Dr. O. Lewis Vance, a traveling doctor, who had insinuated himself into the confidence of the boy Dunn, and of his father, one Dr. A. J. Dunn, of Bristol, in the State of Virginia, certified to be a very respectable man, and brought him into this State, and had him under his full influence and control, he being only fifteen years of age. That said Vance has been convicted of being accessory before the fact in said crime, and has been sentenced to the Eastern Penitentiary for the term of seven years and seven months; that the county jail, among the vicious and depraved, is not a proper place for a boy of such tender years. The engagement of the father to take him back to the protecting influence of his mother, sisters and brothers, and that the real guilty actor in the transaction has met with prompt and condign punishment.

35. Stephen Rush. Erie county. *Assault and Battery with intent to Kill.* Sentence, February 5, 1873, one year in the county jail. Pardoned September 5, 1873.

Recommended by Hon. John P. Vincent, additional law judge of the Sixth judicial district, and associate judges, Hon. A. A. Craig and Hon. Wm. Benson, and by S. M. Brainard, Esq., district attorney, Hon. Isaac B. Gara, and many other citizens of Erie county.

Reasons:—The condition of the said Rush's health is such, that any further confinement will be exceedingly dangerous to his life, being afflicted with disease of the heart; the certificate of J. L. Stewart, M. D., physician to the Erie county jail, that Rush is rapidly growing worse, and will early fall a victim to his disease, unless released.

36. William Siner. Philadelphia. *Keeping a Gaming Table.* Sentence, February 17, 1873, two years and six months in the Eastern Penitentiary. Pardoned September 6, 1873.

Recommended by the following prominent gentlemen of the newspaper press:—Hon. John W. Forney, of the *Press*, W. W. Harding, of the *Inquirer*, J. L. Fetherston, of the *Evening Bulletin*, Charles E. Warburton, of the *Telegraph*, Charles E. School, of the *Star*, W. B. Hazelton, of the *Herald*, Messrs. Cassiday and Chambers, of the *Day*, Thomas Fitzgerald, of the *Item*, Wm. Meeser & Co., of the *Sunday Mercury*, E. J. Hincken, of the *Dispatch*, John H. Taggart & Son, of the *Times*, E. W. C. Greene, of the *Transcript*, J. Trainor King, of the *Dawn*; by the high officials of the city of Philadelphia, the mayor of the city, many members of the city councils; by the high sheriff of said city and county, the prothonotary and other officials; by the Senators and Members of the House of Representatives from the said city and county from the following districts:—1st and 2d Senatorial districts, and 1st, 2d, 3d, 6th, 7th, 12th, 14th and 15th Representative districts; by Hon. Wm. B. Mann, district attorney; by Wm. Calhoun, John Thompson, John E. Littleton, W. H. Patterson,

Richard Ellis, John E. Addicks, N. F. English, John A. Johnston, H. C. Dunlap, James E. Ritchie, Wm. Wilson, David Martin, George S. Miller, John Harris, Jr., Wm. M. Taylor, Wm. Taylor, Samuel R. Jamison, Henry Copland, Chris. Kneass, Esq., John C. Nippes, Thos. J. Smith, Capt. Isaac M'Bride, John J. Finletter, M. H. Dickinson, Hon. M. Hall Stanton, Thomas Ashton, Esq., A. Wilson Henzey, Esq., Hamilton Distson, John C. Knox, H. J. M'Intire, and others.

Reasons:—The said Siner has been sufficiently punished for the offence for which he was convicted, and that the ends of justice have been fully answered, it having transpired since his conviction that said Siner was not a professional gambler; the condition of said Siner's wife, who is fast sinking with consumption; his excellent character, as a soldier, during the late war; that up to the time of his arrest, he had an excellent character for integrity, and was never known to be connected with gamblers or any gaming establishment, and had the confidence of his friends, neighbors, and of the community generally; that he has a young and large family entirely dependent upon his exertions for its support and maintenance, which, since his incarceration, has depended upon the charity of friends.

37. E. Nathaniel Marks. Philadelphia. *Keeping a Gaming House.* Sentence, February 17, 1873, two years and six months in the Eastern Penitentiary. Pardoned September 6, 1873.

Recommended by prominent gentlemen of the newspaper press, viz: Hon. John W. Forney; Hon. Morton M'Michael, of the *North American*, Geo. W. Childs, of the *Public Ledger*, Messrs. Wm. Meeser & Co., of the *Mercury*, Wm. J. Jones, John H. Taggart & Sons, Alexander Ramsey, E. J. Hincken, Thos. Fitzgerald, John D. Stockton, William B. Hazleton, C. E. School, F. S. Fetherston, Charles E. Warburton, W. W. Harding, James S. Chambers, John Trenwith; by the jurors by whom he was convicted, Samuel Jackson, John S. Faries, George Bothwell, John Constable, Sylvester Keyser, Gilford G. Claiborne, William H. Hughes, Henry Hansman, Christian Gerard, B. B. Cragmile, W. H. Gesner and Joseph J. Bartram; by Hon. William B. Mann, district attorney; by many citizens of Philadelphia, P. H. Brice, S. R. Clapp, Jr., Edward Robins, N. Gardner, John Bioren, John M. Megary, C. B. Wright, F. R. Callender & Co., Joseph J. Doran, Wm. M. Christy, A. Winch, and many others.

Reasons:—The extreme youth and inexperience of the said Marks had much to do with bringing upon him the disgrace and punishment he was subjected to by reason of his grievous error, that his character had been irreproachable, and upon his trial many reputable citizens connected with the Philadelphia newspaper press, had been produced, who fully established his lawful business, and gave evidence of his honesty, sobriety and correct deportment; that the punishment and disgrace he had already suffered, would cause his future conduct to be such as to merit the obligation a pardon would place upon him.

38. Henry Miller. Montgomery county. *Entering hotel in the night and Larceny.* Sentence, August 26, 1871, ten years in the Montgomery county prison. Pardoned October 16, 1873.

Recommended by Hon. Henry P. Ross, for the reason that at the time of sentence it was represented that Miller was a hotel thief by profession, that subsequent circumstances disproved this; recommended by J. B. Davis, J. Gable, J. Wright Apple, J. M. Albertson, Wm. Earnest and Daniel Quilman, of the board of inspectors of the prison, C. A. Wright, M. D., prison physician, J. Grier Ralston, chaplain, Thomas O'Neil, and many others.

39. Gottleib Gross. Allegheny county. *Assault and Battery.* Sentence, March 29, 1873, nine months in the Allegheny county work-house. Pardoned October 17, 1873.

Recommended by Hon. James P. Sterrett, President judge, and Thomas M. Bayne, Esq., district attorney, H. H. M'Cormick, John Robb, E. A. Montooh, and others.

Reason:—Under the circumstances of the case the punishment already undergone by the said Gross is sufficient.

40. William Glenn. Philadelphia. *Rape.* Sentence, July 1, 1873, ten years in the Eastern Penitentiary. Pardoned November 5, 1873.

Recommended by Hon. Thomas K. Finletter, associate law judge, before whom he was tried, and by Hon. Wm. B. Mann, district attorney; by a document signed by Hon. Richard Vaux, president of the board of inspectors, containing a resolution of the board in these words: "*Resolved*, That the board is convinced that from information received, William Glenn is innocent of the crime of which he was convicted, and it recommends his pardon."

41. Edward Mullin. Philadelphia. *Larceny.* Sentence, December 12, 1871, two years and six months in the Philadelphia county prison. Pardoned November 15, 1873.

Recommended by Hon. Joseph R. Chandler, inspector; H. Yale Smith, M. D., physician to the prison, and by Hon. Wm. B. Mann, district attorney.

Reason:—Said Mullin is in the last stages of consumption and impossible for him to survive many days.

42. Patrick Callahan. Luzerne county. *Perjury.* Sentence, November 11, 1872, five years in the Eastern Penitentiary. Pardoned November 15, 1873.

Recommended by Hon. G. M. Harding, President judge before whom he was tried, for the reason that he has became cognizant of circumstances and facts which shake his confidence in the propriety of said Callahan's conviction; recommended also by Hon. W. W. Ketcham, Hon. Henry M. Hoyt, Hon. L. D. Shoemaker, Edward H. Chase, Esq., and many other prominent citizens of Luzerne county.

43. William K. Rhoads. Montgomery county. *Assault and Battery.* Sentence, May 24, 1873, one year in the Montgomery county jail. Pardoned November 21, 1873.

Recommended by Hon. Henry P. Ross, President judge, and Hons. H. C. Hoover and J. F. Yost, associates; J. Wright Apple, J. M. Albertson and others, inspectors, and C. H. Houpt, M. D., physician of said prison.

Reasons:—On account of Rhoads' failing health further imprisonment will result in death or the loss of his mental faculties, by reason of attacks of epilepsy; certificate of Dr. John Todd, of Pottstown.

44. George M. Fried. Philadelphia. *Assault and Battery.* Sentence, March 12, 1873, eighteen months in the Philadelphia county prison. Pardoned November 21, 1873.

Recommended by a resolution of the board of inspectors of the Philadelphia county prison; H. Yale Smith, M. D., physician to said prison; Rev. J. H. Peters, alderman W. W. Dougherty, Christian Kneass, Esq., John J. Franklin, and many other citizens of Philadelphia.

Reasons:—Said Fried is in the incipient stage of consumption, and his disease of of such character as to preclude the possibility of getting well while shut up within a prison cell; destitute condition of his family.

45. Robert Purcell. Philadelphia. *Selling a Lottery Policy.* Sentence, May 2, 1873, one year in the Philadelphia county prison. Pardoned November 24, 1873.

Recommended by Edward Buckley, W. M. Scattergood, John Simpson, Peter Sullivan, James B. Read, Charles Sartain, Silas H. Fries, Charles F. Thacher, Hon. John Lamon, and many other citizens of Philadelphia.

Reasons:—Purcell is but eighteen years of age, his parents are old and infirm and in a destitute condition, and he was their chief support; certificate of Dr. G. B. Dunmire, the family physician, of the extreme illness of his mother.

DEATH WARRANT.

Nelson E. Wade. Sentenced September 6, 1873, by the court of oyer and terminer of Lycoming county, for the murder of Isabella M'Bride. Warrant issued October 7, 1873. Executed at Williamsport, November 6.